

IN RE: PETITION FOR RESIDENTIAL * BEFORE THE
 ZONING VARIANCE
 NEC New Battle Grove Road, and * ZONING COMMISSIONER
 Eder Road
 7801 New Battle Grove Road * OF BALTIMORE COUNTY
 15th Election District
 7th Councilmanic District * Case No. 97-134-A
 Estil Thomas Morris, et ux, Petitioners
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Estil Thomas Morris and Orvelene Alice Morris, his wife, property owners, for the property known as 7801 New Battle Grove Road in the Battle Grove Manor of Baltimore County. The Petitioners/property owners herein seek a variance from Sections 1B02.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (BCZR) to permit a 17 ft. average front setback and a 13 ft. side street setback, in lieu of the required 18.75 ft. and 25 ft., respectively, for an addition, in a D.R. 5.5 zone. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

ORDER RECEIVED FOR FILING

Date

By

10/29/96
 M. Novak

MICROFILMED

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Areas and is subject to compliance with the recommendations to be made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (BCZR). The relief granted herein shall be conditioned upon Petitioners' compliance with said findings.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of October, 1996 that the Petition for a Zoning Variance from Sections 1B02.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (BCZR) to permit a 17 ft. average front setback and a 13 ft. side street setback, in lieu of the required 18.75 ft. and 25 ft., respectively, for an addition, in a D.R. 5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall comply with the Department of Environmental Protection and Resource Management recommendations dated October 15, 1996.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER FILED - OCT 24 1996
Date 10/24/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 24, 1996

Mr. and Mrs. Estil T. Morris
7801 New Battle Grove Road
Baltimore, Maryland 21222

RE: Petition for Administrative Variance
Case No. 97-134-A
Property: 7801 New Battle Grove Road

Dear Mr. and Mrs. Morris:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.





Petition for Administrative Variance

97-134-A

to the Zoning Commissioner of Baltimore County

for the property located at 7801 New BATTLE GROVE ROAD
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Denial would not allow an increase in porch area. Front setback would decrease by only 3 FT side by only 4 FT, current standards deny use enjoyed by others in neighborhood who have been granted variance. An approved variance would not adversely impact public safety.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

7801 New BATTLE GROVE ROAD (410) 477-4574
Address Phone No

BAKIMORE, MARYLAND 21222
City State Zipcode

Name, Address and phone number of representative to be contacted if

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: R.T.

DATE: 9-24-96



Printed with Soybean Ink
on Recycled Paper

ITEM #:

134

ESTIMATED POSTING DATE: _____

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7801 New BATtle Grove Road
address
BALTimore MARYland 21222
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

Practical difficulty

1. Denial would NOT allow an increase in Porch area. Front setback would decrease by only 3FT. Side by 4FT
2. Current STANDARDS deny use enjoyed by others in neighborhood who have been GRANTED VARIANCE
- 3 AN APPROVED VARIANCE would NOT ADVERSELY IMPACT PUBLIC SAFETY

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Estil Thomas Morris
(signature)
ESTIL THOMAS MORRIS
(type or print name)



Opelene Alice Morris
(signature)
Opelene Alice MORRIS
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23rd day of Sept, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Estil Thomas Morris & Opelene Alice Morris

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

9/23/96
date

Paul W. Lepore
NOTARY PUBLIC

My Commission Expires:

My Commission Expires March 24, 1997

97-134-A

ZONING DESCRIPTION FOR 7801 NEW BATTLE GROVE ROAD

Beginning at a point on the **East** side of **New Battle Grove Road** which is **sixty (60) feet** wide at the distance of **twenty-five (25) feet North** of the centerline of **Eder Road** which is **fifty (50) feet** wide. Being Lot # **14**, Block _____, Section # **B** in the subdivision of **Battle Grove Manor** as recorded in Baltimore County Plat Book # **18**, Folio # **066**, containing **.25 acres**. Also known as **7801 New Battle Grove Road** and located in the **fifteenth (15th)** Election District, **seventh (7th)** Councilmanic District.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 134 Petitioner: ESTIL ORVALENE MORRIS

Location: 7801 NEW BATTLE GROVE ROAD 21222

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ESTIL MORRIS

ADDRESS: 7801 NEW BATTLE GROVE ROAD

BALTIMORE MARYLAND 21222

PHONE NUMBER: 472-4514

MICROFILMED



Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



North

date: _____

prepared by: _____

Scale of Drawing: 1" = _____



Vicinity Map
North
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____
acreage square feet

SEWER: ☐ public ☐ private

WATER: ☐ YES ☐ NO

Chesapeake Bay Critical Area: ☐ YES ☐ NO

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

CERTIFICATE OF POSTING

RE: Case No.: 97-134 A

Petitioner/Developer: MR. ESTIL

MORRIS

Date of Hearing/Closing: OCT. 21, 1996

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 7801 NEW BATTLE

GROVE ROAD, BALTIMORE, MARYLAND 21222

The sign(s) were posted on OCT. 6, 1996
(Month, Day, Year)

Sincerely,

Thomas P. Ogle 10/6/96
(Signature of Sign Poster and Date)

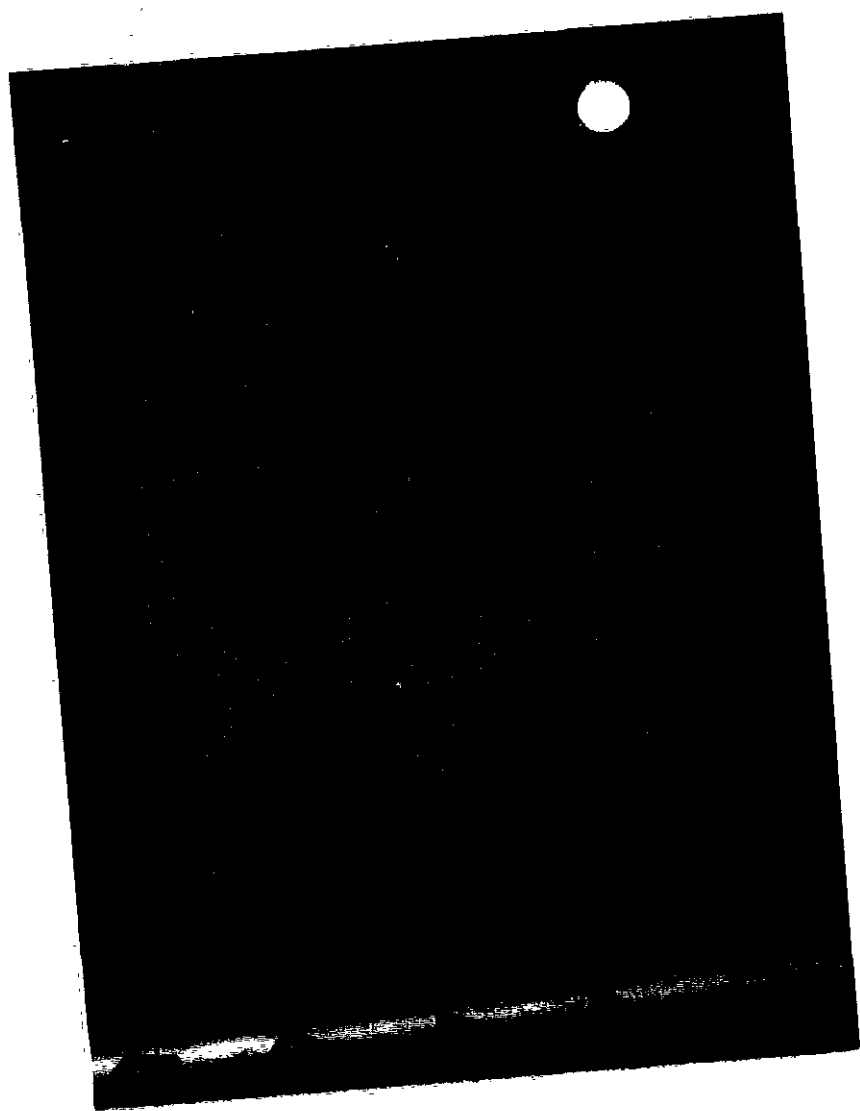
Thomas P. Ogle Sr.
(Printed Name)

325 NICHOLSON ROAD
(Address)

BALTIMORE, MARYLAND 21221
(City, State, Zip Code)

(410)-687-8405
(Telephone Number)

RECORDED



Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 10-6-96 to 10-21-96

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-134

Sec. 303.1 (BCZR) & 1802.3.C.1 (Zoning Comm's Policy
Manual, pp 1B-26) To permit 17' average front setback & ^{13'} ~~side~~
side Street setback ~~of 18'~~ in lieu of the required 18.75' &
25' setbacks respectively.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), **BALTIMORE COUNTY CODE**,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 3, 1996

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-134-A (Item 134)

7801 New Battle Grove Road

NEC New Battle Grove Road and Eder Road

15th Election District - 7th Councilmanic

Legal Owner(s): Estil Thomas Morris and Orvelene Alice Morris

Post by Date: 10/6/96

Closing Date: 10/21/96

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Estil and Orvelene Morris

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 18, 1996

Mr. and Mrs. Estil Morris
7801 New Battle Grove Road
Baltimore, MD 21222

RE. Item No.: 134
Case No.: 97-134-A
Petitioner: Estil Morris, et ux

Dear Mr. and Mrs. Morris:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 24, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." The signature is written in a cursive style with a large, stylized "W" and "R".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



100-100000-000000



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

10/7/96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 134 (RT)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 4, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 131, 132, 133, 134, 135, 138, 140, 141, 142, 146, and 147

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Dany L. Kerns

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 10/07/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 07, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 131, 132, 133, 134, 135, 136,
137, 138, 139, 140, 141, 142, 146 AND 147.

1023

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
October 15, 1996

FROM: R. Bruce Seeley *RBS/gp*
DEPRM

SUBJECT: Zoning Item #134 - Morris Property
7801 New Battle Grove Road
Zoning Advisory Committee Meeting of October 7, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RBS:SA:sp

MORRIS/DEPRM/TXTSBP

MICROFILMED

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: October 17, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for October 15, 1996
 Item No. 134

 The Development Plans Review Division has reviewed the subject zoning item. The proposed addition shall not interfere with the line of sight.

RWB:HJO:jrb

cc: File

ZONE31B

10/18/96

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

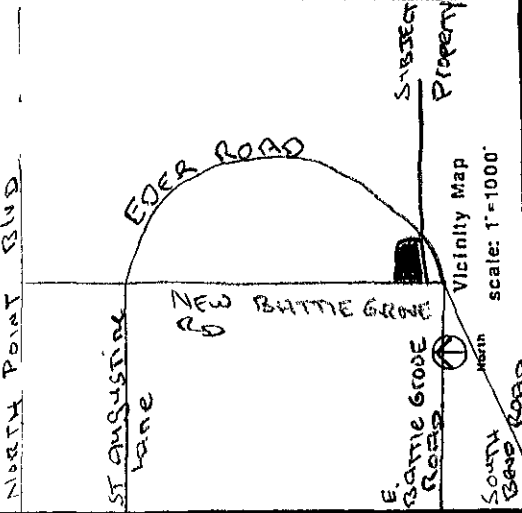
see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 1801 NEW BATTLE GROVE ROAD

Subdivision name: BATTLE GROVE MANOR

plat book # 18, folio # 066, lot # 14, section # 3

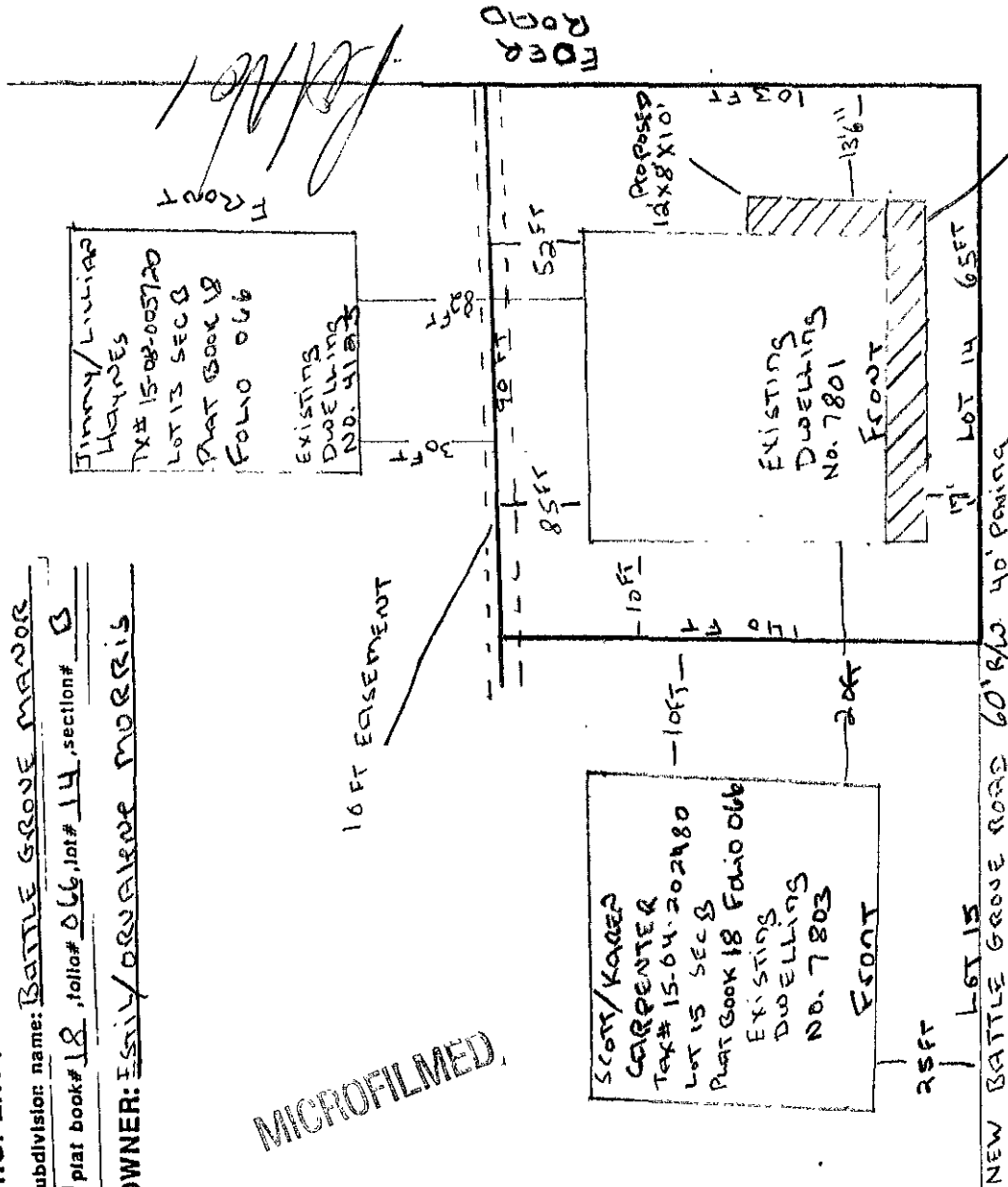
OWNER: ESLY/DORVAENE MORRIS



LOCATION INFORMATION

Election District: 15
Councilmanic District: 7
1"=200' scale map#: SE 64
Zoning: DQ S.S
Lot size: 125 acreage 9,738 square feet
public ☒ private ☐
SEWER: ☒ WATER: ☒ Chesapeake Bay Critical Area: ☒
Prior Zoning Hearings: ☐

None
Zoning Office USE ONLY!
reviewed by: RTI ITEM #: 137 CASE #:



PROPOSED
38'x8'x10'

97-134-A

North

Scale of Drawing: 1"= 50'

date: 9-23-90
prepared by: J. L. King

MICROFILMED

PETITION PROBLEMS

#130 --- JCM

1. No telephone number for legal owner.

#131 --- JLL

1. No review information on petition form.
2. Who signed for attorney? Need authorization.

#132 --- JLL

1. Who signed for attorney on variance petition? Need authorization.
2. Not original signature for contract purchaser on special exception form.
3. Not original signature for legal owner on special exception form.

#134 --- RT

1. No receipt in file. Did they pay????
2. No section number or wording on petition form.

#136 --- JCM

1. No telephone number for legal owner.

MICROFILMED

#137 --- JCM

1. No telephone number for legal owner.

#138 --- MJK

1. No telephone number for legal owner.

#140 --- JRA

1. Petition says zoning is R.C.-2; folder says D.R.-1.

#141 --- JRA

1. No telephone number for legal owner.

#145 --- JLL/JCM

1. No attorney signature on the variance form.

#146 --- CAM

1. No signature for either legal owner on form.
2. No telephone number for legal owner.
3. No description for property on folder.

#147 --- JCM

1. No item number on petition forms.
2. No review information on petition forms.



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200'

LOCATION
SHEET

NORTH POINT MICROFILMED E.
INVERNESS 4-G

DATE
OF
PHOTOGRAPHY
JANUARY
1986

Item 134

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
NEC New Battle Grove Road, and Eder Road
7801 New Battle Grove Road * OF BALTIMORE COUNTY
15th Election District * Case No. 97-134-A
7th Councilmanic District *
Estil Thomas Morris, et ux, Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Estil Thomas Morris and Orvelene Alice Morris, his wife, property owners, for the property known as 7801 New Battle Grove Road in the Battle Grove Manor of Baltimore County. The Petitioners/property owners herein seek a variance from Sections 1802.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (BCZR) to permit a 17 ft. average front setback and a 13 ft. side street setback, in lieu of the required 18.75 ft. and 25 ft., respectively, for an addition, in a D.R. 5.5 zone. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Areas and is subject to compliance with the recommendations to be made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (BCZR). The relief granted herein shall be conditioned upon Petitioners' compliance with said findings.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of October, 1996 that the Petition for a Zoning Variance from Sections 1802.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (BCZR) to permit a 17 ft. average front setback and a 13 ft. side street setback, in lieu of the required 18.75 ft. and 25 ft., respectively, for an addition, in a D.R. 5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall comply with the Department of Environmental Protection and Resource Management recommendations dated October 15, 1996.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 24, 1996

Mr. and Mrs. Estil T. Morris
7801 New Battle Grove Road
Baltimore, Maryland 21222

RE: Petition for Administrative Variance
Case No. 97-134-A
Property: 7801 New Battle Grove Road

Dear Mr. and Mrs. Morris:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.

Printed with Soybean Ink
on Recycled Paper

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 7801 New Battle Grove Road which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Decision would not allow an increase in depth BCR. Front setback would decrease by only 3 ft. side by only 4 ft. Current standards deny use enjoyed by others in neighborhood who have been granted variance. An approved variance would not adversely impact public safety.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee:

Type or Print Name

Signature

Address

City

State

Zip Code

Attorney for Petitioner:

Type or Print Name

Signature

Address

City

State

Zip Code

ESTIMATED POSTING DATE

When so necessary practice and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property and the subject of this petition.

Legal Owner(s):

Signature: Estil Thomas Morris

Signature: Orvelene Alice Morris

Signature: Orvelene Alice Morris

Signature: Orvelene Alice Morris

Signature: Orvelene Alice Morris

Signature: Orvelene Alice Morris

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Signature: Orvelene Alice Morris

Exhibit A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 10-6-96 10-21-96

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-134

Sept. 30, 1996 (BZCR) & 1802 3rd St. Zoning Com. Policy
Permit for 18-20' to permit 17' average front setback & 25'
5th Street setback ~~25'~~ in lieu of the required 18.75' &
25' setbacks respectively.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

906
pms.doc



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 3, 1996

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-134-A (Item 134)
7801 New Battle Grove Road
NEC New Battle Grove Road and Elder Road
15th Election District - 7th Councilmanic
Legal Owner(s): Estil Thomas Morris and Ovelene Allen Morris
Post by Date: 10/6/96
Closing Date: 10/21/96

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/she may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Bill Jablon

Arnold Jablon
Director

cc: Estil and Ovelene Morris

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 18, 1996

Mr. and Mrs. Estil Morris
7801 New Battle Grove Road
Baltimore, MD 21222

RE: Item No.: 134
Case No.: 97-134-A
Petitioner: Estil Morris, et ux

Dear Mr. and Mrs. Morris:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 24, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

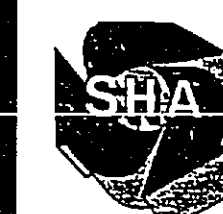
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/se
Attachment(s)

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on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 134 (RT)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Michael S. Smith
Michael S. Smith
Ronal Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 4, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 131, 132, 133, 134, 135, 138, 140, 141, 142, 146, and 147

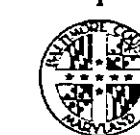
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey M. Long*
Division Chief: *Dany L. Kerns*

PK/JL

ITEM131/PZONE/ZAC1

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/07/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 07, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 146 AND 147.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

October 15, 1996

FROM: R. Bruce Seeley
DEPRM

SUBJECT: Zoning Item #134 - Morris Property
7801 New Battle Grove Road
Zoning Advisory Committee Meeting of October 7, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RBS:SA:sp

MORRIS/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 17, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 15, 1996
Item No. 134

The Development Plans Review Division has reviewed the subject zoning item. The proposed addition shall not interfere with the line of sight.

RWB:HJO:jrb

cc: File

ZONE31B

#130 --- JCM

1. No telephone number for legal owner.

#131 --- JLL

1. No review information on petition form.
2. Who signed for attorney? Need authorization.

#132 --- JLL

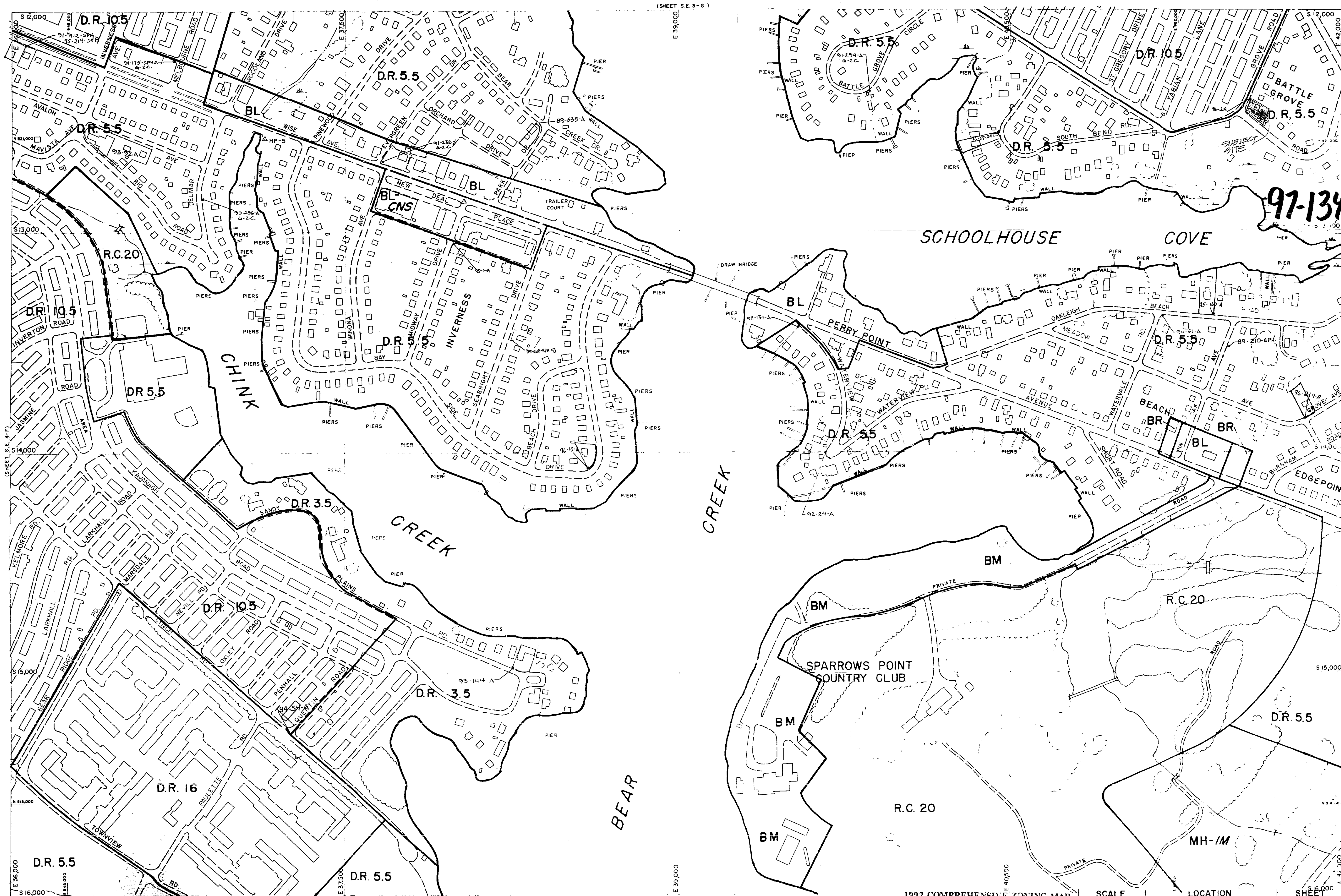
1. Who signed for attorney on variance petition? Need authorization.
2. Not original signature for contract purchaser on special exception form.
3. Not original signature for legal owner on special exception form.

#134 --- RT

1. No receipt in file. Did they pay????
2. No section number or wording on petition form.

#136 --- JCM

[illegible]



THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92
William A. Howard
Chairman, County Council

SCALE 1" = 200' ±	LOCATION NORTH POINT INVERNESS	SHEET S.E. 4-G ITEM# 134
DATE OF PHOTOGRAPHY JANUARY 1986		



97-134-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200'	NORTH POINT	S.E.
DATE OF PHOTOGRAPHY	INVERNESS	4-G
JANUARY 1986		Item 134